

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20915 of 2019

Arising Out of PS. Case No.-65 Year-2018 Thana- BAGHA District- West Champaran

Rabari Devi, Wife of Lal Babu Choudhary @ Lal Babu Sahni Resident of
Village - Goriya Patti, Ward no- 25, Bagaha- 1, P.S.- Bagaha, Dist.- W.
Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, being the unfortunate mother of the
victim, is languishing in custody since 03.01.2019. in a case
registered for the offences punishable under Sections 302 and
201/34 of the Indian Penal Code.

The prosecution case, as per the written report of
Lalbabu Sahni, husband of the petitioner, submitted to the
Station House Officer of Bagaha Police Station, is to the effect
that on 16.02.2018 the daughter of the informant went to attend
coaching classes and informant went to work when the wife of
the informant, the petitioner and her friend Vidyawati Devi were
in the house and some unknown person came in the house of



the informant, in the meantime, the daughter of the informant came to the house and inquired about the unknown person, whereupon the daughter of the informant was assaulted. After returning home, the informant had a fight with the petitioner. In the following morning, the informant came to know that the petitioner assaulted the daughter of the informant brutally who left the house and thereafter, the daughter of the informant committed suicide. The informant came to know that the dead body has been cremated by the petitioner.

It is submitted by learned counsel for the petitioner that even assuming the prosecution case, at best, a case under Section 306 of the IPC is made out and investigation has already been concluded. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that it is a shocking case that the daughter of the petitioner committed suicide due to her illicit relationship, with someone and since she objected the illicit relationship the petitioner along with an unknown assaulted the daughter of the informant and dead body was disposed by them without allowing the father of the victim to attend the last rites.



Though, the accusation is shocking to the conscious of this Court but keeping in view the fact that the petitioner is a lady and investigation has already been concluded, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bagaha, District – West Champaran in connection with Bagaha P.S. Case No. 65 of 2018.

(Dinesh Kumar Singh, J)

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